IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

ANGELA NAILS,

               Plaintiff,   No. 3:15-cv-1032-JE

    v.

                                         OPINION & ORDER

ERIC BEACH,

               Defendant.

HERNÁNDEZ, District Judge:

Plaintiff brings this "Motion to Reopen" in response to the Court's order dismissing

Plaintiff's complaint with prejudice. Plaintiff's motion is denied.

On September 17, 2015, this Court adopted Magistrate Judge Jelderks' Findings and

Recommendation (F&R) dismissing Plaintiff's complaint. Plaintiff was given leave to file an

amended complaint curing the defects described in the F&R. Plaintiff was warned that if she

failed to file such an amended complaint, the case would be dismissed with prejudice.

On November 5, 2015, the Court entered the following order:

1 – OPINION & ORDER

> Because Plaintiff did not receive copies of the Order when originally issued because the Court did not have her current address at the time of issuance, Plaintiff is granted an extension until December 7, 2015 to file her Amended Complaint, if she so chooses. If Plaintiff fails to file such an amended complaint, the case will be dismissed with prejudice.

ECF 15. On November 25, 2015, Plaintiff filed an amended complaint; however, the amended complaint was still deficient and was therefore dismissed with prejudice.
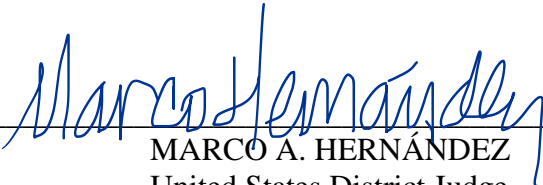
The entirety of Plaintiff's current motion is as follows: "I did not receive order to amend my complaint--request to reopen." Pl. Mot. Reopen, ECF 27. The fact that Plaintiff filed an amended complaint strongly suggests that, after the Court sent its order to Plaintiff's current mailing address, Plaintiff received the order dismissing her complaint and allowing her leave to amend. Even if Plaintiff did not receive the order, her amended complaint was nevertheless accepted and evaluated by the Court; the complaint failed to comply with the Federal Rules of Civil Procedure and was therefore properly dismissed.

CONCLUSION

Plaintiff's "Motion to Reopen" [27] is denied.

IT IS SO ORDERED.

DATED this _____3_____ day of _____May_____ , 2016.

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MARCO A. HERNÁNDEZ
United States District Judge

2 – OPINION & ORDER